

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	18cr041 (DLC)
	:	
-v-	:	<u>ORDER</u>
	:	
NAVONE DOZIER,	:	
	:	
Defendant.	:	
	:	
-----X		

DENISE COTE, District Judge:

Navone Dozier has requested that the Court appoint him counsel to assist him in making a petition for compassionate release. For the following reasons, the petition is denied.

The compassionate release statute, 18 U.S.C. § 3582(c)(1)(A)(i), permits a sentencing court to reduce a sentence if "extraordinary and compelling reasons" warrant a sentence reduction and the sentencing factors set forth at 18 U.S.C. § 3553(a) weigh in favor of reduction. But before a court may consider an inmate's motion for compassionate release, the inmate must exhaust his administrative remedies by requesting that the warden of his facility make a motion for compassionate release on his behalf. United States v. Monzon, No. 99cr157 (DLC), 2020 WL 550220, at \*1-2 (S.D.N.Y. Feb. 4, 2020).

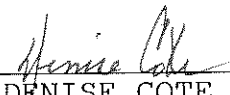
Applying these principles, Dozier's request for the appointment of counsel is denied because he has not shown that the appointment of counsel is likely to lead to a successful motion

for compassionate release. He has not demonstrated that he has satisfied his obligation to exhaust his administrative remedies: his submission does not address whether he requested compassionate release from his warden. And even if he had exhausted his administrative remedies, his submission does not sufficiently set forth any extraordinary and compelling circumstances warranting compassionate release. While he points to an outbreak of COVID-19 in his facility and his increased risk of COVID-19 given "prior medical conditions," he does not explain what these prior medical conditions are or how they increase his risk of COVID-19. Accordingly, it is hereby

ORDERED that Dozier's request for the appointment of counsel is denied. The denial is without prejudice to a subsequent application that confirms Dozier has exhausted his administrative remedies and provides additional detail on what Dozier believes to be extraordinary and compelling circumstances warranting compassionate release.

IT IS FURTHER ORDERED that the Clerk of Court shall mail a copy of this Order to Dozier and note mailing on the docket.

Dated: New York, New York  
November 5, 2021

  
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DENISE COTE  
United States District Judge